

Mar 28, 2018

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID MCMURTREY,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 4:17-CV-05022-SMJ

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Before the Court is Magistrate Judge Dimke's January 5, 2018 Report and Recommendation, ECF No. 23, recommending that that the Court grant the Commissioner's Motion for Summary Judgment, ECF No. 18, and deny Plaintiff's Motion for Summary Judgment, ECF No. 17.

After reviewing the Report and Recommendation, the objections, and relevant authorities, the Court finds the Magistrate Judge's findings are correct. Therefore, the Court adopts the Report and Recommendation in its entirety.

Accordingly, **IT IS HEREBY ORDERED:**

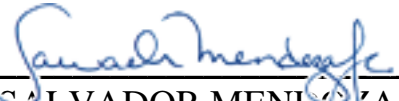
1. The Report and Recommendation, **ECF No. 23**, is **ADOPTED** in its entirety.
2. Plaintiff's Motion for Summary Judgment, **ECF No. 17**, is **DENIED**.

1 **3.** The Commissioner's Motion for Summary Judgment, **ECF No. 18**, is
2 **GRANTED.**

3 **4.** The Clerk's Office is directed to enter **JUDGMENT** in favor of
4 Commissioner and **CLOSE** this case.

5 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
6 provide copies to all counsel and Magistrate Judge Dimke.

7 **DATED** this 28th day of March 2018.

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 SALVADOR MENDOZA, JR.
 United States District Judge